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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Adv. Pro. No. 08-01789 (CGM)

Plaintiff-Applicant,

SIPA Liquidation

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

(Substantively Consolidated)

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC,

Adv. Pro. No. 12-01209 (CGM)

ORAL ARGUMENT REQUESTED

Plaintiff,

v.

BSI AG, individually and as successor in interest
to BANCO DEL GOTTARDO AG,

Defendant.

NOTICE OF MOTION TO DISMISS PLAINTIFF'S AMENDED COMPLAINT

PLEASE TAKE NOTICE that, upon the Memorandum of Law in Support of Motion to Dismiss Plaintiff's Amended Complaint and the accompanying Declaration of Paul A. Kanelopoulos dated as of the date hereof and exhibits thereto, Declaration of Massimo Antonini, Declaration of Andrea Russi, and all prior pleadings and proceedings herein, Defendant BSI AG ("Defendant") will move this Court on October 19, 2022 at 10:00 a.m. (prevailing Eastern time), or as soon thereafter as counsel may be heard, for an order dismissing the Amended Complaint (Dkt. No. 116) filed by Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, pursuant to Rules 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure, made applicable here by Rule 7012 of the Federal Rules of Bankruptcy Procedure.

PLEASE TAKE FURTHER NOTICE that, pursuant to a Stipulation and Order, any oppositions to this motion shall be filed by August 26, 2022, and any reply in further support of this motion shall be filed by September 30, 2022.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, Defendant does not consent to the entry of final orders or judgment by this Court.

Dated: June 24, 2022
New York, New York

Respectfully Submitted,

/s/ Adam M. Lavine _____

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